

Children's Wellbeing and Schools Bill

RUNNING LIST OF ALL AMENDMENTS ON REPORT

Tabled up to and including

15 December 2025

[Amendments marked ★ are new or have been altered]

Clause 1

BARONESS BARRAN

Clause 1, page 1, line 9, after “meeting” insert “, or family group conference,”

Member's explanatory statement

This is a probing amendment to understand why there is a difference in the terms used in the bill and the evaluation, and whether there is a different intent with the family group decision-making model.

BARONESS BARRAN

Clause 1, page 1, line 10, at end insert –

- “(1A) The family group decision-making meeting, or meetings, must follow an evidence-based approach.”

Member's explanatory statement

This amendment seeks to ensure that the approach followed by local authorities is an evidence-based approach.

BARONESS BARRAN

Clause 1, page 1, line 10, at end insert –

- “(1A) Before a child is reunited with a family member, or family members, after a period of being looked after, a local authority must offer a family group decision-making meeting to the child’s parents or any other person with parental responsibility.”

Member's explanatory statement

This amendment seeks to ensure that children leaving care are offered the necessary support.

BARONESS BARRAN
LORD HAMPTON

Clause 1, page 2, line 26, at end insert –

“(10) If the child is to be looked after by other family members as a result of the family group decision-making meeting, the local authority must make arrangements for the safety and welfare of the child concerned and where necessary, draw up a kinship support plan.”

Member's explanatory statement

This amendment would ensure that if a child is to be looked after by other family members, the local authority must take appropriate action to ensure their safety and welfare.

After Clause 1

BARONESS BARRAN

After Clause 1, insert the following new Clause –

“Cessation of Child Protection Plans

When proceedings are initiated or a care and supervision order is issued under section 31 of the Children Act 1989, if there is any cessation of child protection plans for children under five years old, that must be signed off by the relevant Director of Children's Services or Head of Social Work Practice.”

Member's explanatory statement

This amendment seeks to ensure that the relevant Director of Children's Services or Head of Social Work Practice is required to sign off any cessation of child protection plans for children under five years old once proceedings have been initiated or once a care and supervision order has been issued.

Clause 2

LORD STOREY
LORD MOHAMMED OF TINSLEY

Clause 2, page 3, line 9, at end insert –

“(2B) Regulations made by the Secretary of State under subsection (2A)(b) must secure that persons who –

- (a) have functions relating to the provision of childcare or education (or both), and
- (b) are the proprietor of two or more early years providers registered in England on the Early Years Register,

are designated childcare or education agencies for the purposes of this section.

- (2C) Persons designated by virtue of subsection (2B) must—
 - (a) participate in arrangements made under this section, including by securing appropriate representation at operational and strategic multi-agency safeguarding meetings;
 - (b) have regard to any reasonable request of the safeguarding partners to take part in local safeguarding activities, including briefings, training, learning events and audits;
 - (c) ensure that any safeguarding training provided in-house is consistent with the guidance and procedures of the relevant safeguarding partners.
- (2D) The Secretary of State may by regulations provide that compliance with duties imposed under subsection (2C) is a condition of—
 - (a) registration on the Early Years Register;
 - (b) the receipt by the person of funding from a local authority in respect of early education and childcare entitlements.
- (2E) In this section “early years provider” and “Early Years Register” have the same meaning as in Part 3 of the Childcare Act 2006.”

Member's explanatory statement

This amendment ensures that large nursery and early-years groups must actively participate in the arrangements, including local briefings and training, and allows this to be enforced through registration and funding conditions. It responds to the Government's acknowledgement that further measures may be needed to ensure childcare providers engage fully with local safeguarding partnerships.

LORD STOREY
LORD MOHAMMED OF TINSLEY

Clause 2, page 3, line 9, at end insert—

- “(2B) Regulations under subsection (2A)(b) must secure that a person is designated as a childcare or education agency if—
 - (a) the person has functions relating to the provision of childcare or education (or both), and
 - (b) the person is the proprietor of two or more early years providers registered in England on the Early Years Register.
- (2C) In this section, “early years provider” and “Early Years Register” have the same meaning as in Part 3 of the Childcare Act 2006.”

Member's explanatory statement

This amendment would ensure that any large nursery or early-years group which operates more than one registered setting is automatically brought within those arrangements as a designated agency.

After Clause 2

LORD STOREY
LORD MOHAMMED OF TINSLEY

After Clause 2, insert the following new Clause—

“Early years provider groups: safeguarding inspections

- (1) The Childcare Act 2006 is amended as follows.
- (2) After section 49 (inspections) insert—

“49A Inspections of early years provider groups: safeguarding

- (1) The Secretary of State must by regulations make provision for His Majesty's Chief Inspector of Education, Children's Services and Skills (“the Chief Inspector”) to inspect and report on the adequacy of safeguarding arrangements in early years provider groups.
- (2) For the purposes of this section, an “early years provider group” is a person who—
 - (a) has a position of control or significant influence over two or more early years providers registered in England on the Early Years Register, or
 - (b) is of such other description as may be prescribed in the regulations.
- (3) Regulations under this section must, in particular—
 - (a) set out the criteria for determining which early years provider groups are to be subject to inspection;
 - (b) make provision for the inspection to assess the adequacy and effectiveness of arrangements for safeguarding and promoting the welfare of children across the group;
 - (c) require the Chief Inspector to publish a report of each inspection.
- (4) Regulations under this section are to be made by statutory instrument and are subject to the affirmative resolution procedure.””

Member's explanatory statement

This new clause would require the Secretary of State to make regulations enabling Ofsted to inspect and report at the level of large early years groups or nursery chains, so that safeguarding problems which span multiple settings can be identified and addressed at group level.

LORD STOREY
LORD MOHAMMED OF TINSLEY

After Clause 2, insert the following new Clause—

“Safeguarding in early years provider groups: training and liaison with safeguarding partners

- (1) The Secretary of State must, within 12 months of the passing of this Act, revise the Early Years Foundation Stage statutory framework issued under section 39 of the Childcare Act 2006 (the Early Years Foundation Stage) so as to secure that early years provider groups comply with the requirements in subsections (2) and (3).
- (2) An early years provider group must ensure that its designated safeguarding leads—
 - (a) receive safeguarding training which includes, as a minimum, local child protection procedures and how to liaise with local statutory children's services agencies and safeguarding partners;
 - (b) have explicit responsibility for ensuring that learning from serious incidents and safeguarding reviews is implemented consistently across the group.
- (3) An early years provider group must ensure that—
 - (a) all staff employed in its early years provision complete safeguarding training which meets mandatory criteria set by the Secretary of State;
 - (b) such training is kept up to date and is consistent with the guidance and procedures of the relevant safeguarding partners for each area in which the group operates.
- (4) In this section “early years provider group” means a person who is the proprietor of two or more early years providers registered in England on the Early Years Register.”

Member's explanatory statement

This amendment would require the statutory framework to be revised so that large nursery groups must ensure their safeguarding leads and staff are trained in, and engaged with, local safeguarding arrangements across all of their settings.

Clause 3

BARONESS BARRAN
BARONESS O'NEILL OF BEXLEY

Clause 3, page 3, leave out lines 25 and 26

Member's explanatory statement

This amendment seeks to clarify what support the Secretary of State will require multi-agency partners to offer.

BARONESS BARRAN
BARONESS O'NEILL OF BEXLEY

Clause 3, page 5, line 43, leave out “only”

BARONESS BARRAN
BARONESS O'NEILL OF BEXLEY

Clause 3, page 5, line 44, at end insert “or in other local authorities where appropriate to meet the safeguarding needs of the child.”

Member's explanatory statement

This amendment seeks to clarify how cases which cross local authority borders will be managed.

BARONESS BARRAN
LORD HAMPTON

Clause 3, page 6, line 6, at end insert—

- “(6) The provisions of this section shall not come into force until the Secretary of State has—
 - (a) published a report evaluating the impact of the Families First pathfinder areas on the key child protection objectives set out by the government, and
 - (b) laid the report before Parliament.
- (7) The report under subsection (6)(a) must include clear evidence demonstrating the extent to which the pathfinder areas have achieved improvements in—
 - (a) early identification of children at risk of harm,
 - (b) effective intervention to prevent abuse and neglect,
 - (c) coordination between statutory agencies and family support services, and
 - (d) outcomes for children and families subject to safeguarding interventions.
- (8) The Secretary of State may by regulations made by statutory instrument specify the date on which this section comes into force, but only after the requirements in subsection (6) have been met.
- (9) Regulations under subsection (8) may not be made unless a draft has been laid before and approved by a resolution of each House of Parliament.”

Member's explanatory statement

This amendment seeks to prevent Clause 3 from coming into force until the Secretary of State has published and laid before Parliament a report evaluating the impact of the Families First pathfinder areas on the government's stated child protection objectives. This would ensure that the approach has been properly tested and evidenced before national roll-out.

Clause 4

BARONESS BARRAN
LORD HAMPTON

Clause 4, page 7, line 14, at end insert –

“(9A) The safeguarding partners for a local authority area must ensure that arrangements made under section 16E include –

- (a) multi-agency arrangements for coordinating initial information sharing and assessment in relation to safeguarding concerns about children,
- (b) provision for concerns to be referred from the arrangements under paragraph (a) to a multi-agency child protection team established under section 16EA where the initial assessment indicates that enquiries under section 47 of the Children Act 1989 may be required, and
- (c) processes to ensure continuity of information as cases are transferred from the arrangements under paragraph (a) to a multi-agency child protection team.

(9B) Arrangements under subsection (9A)(a) must include provision for –

- (a) a designated point of contact for receiving safeguarding concerns and information requests from persons to whom subsection (4) applies,
- (b) timescales for sharing information and making multi-agency decisions about the appropriate level of response,
- (c) thresholds and criteria for determining when concerns should be referred to a multi-agency child protection team, and
- (d) secure systems and protocols for information sharing that comply with the data protection legislation.

(9C) Guidance issued by the Secretary of State under subsection (6) must include provision about –

- (a) effective models for multi-agency arrangements to facilitate initial information sharing and assessment,
- (b) decision-making frameworks for determining when information indicates that section 47 enquiries may be required,
- (c) protocols for handover of information and coordination between initial multi-agency arrangements and multi-agency child protection teams, and
- (d) minimum standards for response times at each stage of multi-agency information sharing and assessment.”

Member's explanatory statement

This amendment requires safeguarding partners to establish practical multi-agency arrangements for initial information sharing before Section 47 thresholds can be determined. It aims to ensure cases transition smoothly to Multi-Agency Child Protection Teams when Section 47 enquiries are required.

BARONESS BARRAN

Clause 4, page 7, leave out lines 21 to 27 and insert—

- “(1) The Secretary of State may by regulations make provisions relating to the consistent identifier for the purposes of this section.
- “(2) For the purposes of this section the NHS number is the consistent identifier.”

Member's explanatory statement

This amendment seeks to ensure that the consistent identifier is on the face of the Bill, in the form of the NHS number, in order to ensure proper parliamentary scrutiny.

After Clause 4

BARONESS MCINTOSH OF PICKERING
 LORD MESTON
 BARONESS BURT OF SOLIHULL
 BARONESS FINLAY OF LLANDAFF

After Clause 4, insert the following new Clause—

“Child contact centres: training

- (1) Providers of child contact centres and services must ensure all staff and volunteers have undergone accredited training and know how to—
 - (a) detect domestic abuse;
 - (b) respond to disclosure of abuse;
 - (c) work with multiple organisations and agencies with responsibilities for safeguarding.
- (2) Accredited training under subsection (1) must be provided by the National Association of Child Contact Centres.”

BARONESS TYLER OF ENFIELD

After Clause 4, insert the following new Clause—

“National child neglect strategy

- (1) The Secretary of State must prepare and publish a national child neglect strategy for the purposes of protecting children from neglect.
- (2) In preparing a national child neglect strategy the Secretary of State must consider—
 - (a) groups of children that may be disproportionately affected by neglect;
 - (b) the role that socio-economic disadvantage has on levels of neglect;
 - (c) measures to equip local authority early intervention services and other relevant professionals to identify and respond to child neglect;
 - (d) the definition of child neglect, to ensure it is fit for purpose;
 - (e) the promotion of public awareness of child neglect.

(3) The Secretary of State must consult with local authorities and other relevant stakeholders, including children, in the preparation of the national child neglect strategy.”

Member's explanatory statement

This amendment requires the Secretary of State to prepare a national neglect strategy to better understand and address the causes and impacts of child neglect, providing greater protection for children when delivering early intervention support for families.

After Clause 5

BARONESS BARRAN
LORD HAMPTON

After Clause 5, insert the following new Clause—

“Removal of unregistered status for approved kinship carers

Notwithstanding the provisions of the Care Planning, Placement and Case Review (England) Regulations 2010 (S.I. 2010/959) and the Children Act 1989, no placement of a child with a kinship carer that is approved by the Director of Children’s Services shall be considered an unregistered placement.”

Member's explanatory statement

This amendment seeks to allow local authorities to place a child with a kinship carer without needing to meet the fostering placement standards, where it is judged by the Local Authority to be in the best interests of the child, as a registered placement, including for the purposes of Ofsted inspection.

BARONESS BARRAN
LORD HAMPTON

After Clause 5, insert the following new Clause—

“Requirements for kinship care approval: disapplication

In regulation 26 of the Fostering Services (England) Regulations 2011 (S.I. 2011/581), after paragraph (9) insert—

“(10) This regulation does not apply to kinship carers.”.”

Member's explanatory statement

This removes the requirement for kinship carers who have been approved by the Director of Children’s Services, including after a Family Group Decision Making (FGDM) process, to be reassessed by the foster panel.

BARONESS BARRAN
LORD HAMPTON

After Clause 5, insert the following new Clause—

“Kinship care report and regulations

- (1) The Secretary of State must, with 12 months of the day on which this Act is passed, carry out a review assessing the effectiveness of the current pathways for approval of kinship carers.
- (2) The Secretary of State must lay a report setting out the findings of the review before Parliament.
- (3) Following the publication of the report required by subsection (1), the Secretary of State must introduce regulations regarding the approval of kinship carers.
- (4) These regulations must seek to—
 - (a) improve the safety and wellbeing of children in kinship care,
 - (b) reduce barriers to becoming to a kinship carer,
 - (c) establish a requirement for a kinship support plan which is monitored by the local authority for a minimum period and until the arrangements for the child are judged to be safe and the welfare of the child is being promoted, and
 - (d) reduce the burden for local authorities and the family courts.
- (5) A statutory instrument containing regulations under this section may not be made unless a draft of the instrument has been laid before and approved by a resolution of each House of Parliament.”

Member's explanatory statement

This amendment requires the Secretary of State to review and update the approval requirements for kinship carers.

BARONESS BARRAN

After Clause 5, insert the following new Clause—

“Temporary care

In the Care Planning, Placement and Case Review (England) Regulations 2010 (S.I. 2010/959), in regulation 24 (temporary approval of relative, friend, or other person connected with C), omit paragraph (2)(c).”

Member's explanatory statement

This amendment seeks to remove the requirement for local authorities to undertake a full assessment of a temporary carer as if they were a foster carer, if they are to get temporary approval.

Clause 7

BARONESS BARRAN

Clause 7, page 12, line 16, leave out from “assess” to the end of line 18 and insert “what staying close support is required in the interests of the person’s welfare, having due regard to the person’s—

- (a) wishes and preferences,
- (b) accommodation requirements,
- (c) emotional and practical support needs, and
- (d) existing support network.”

Member's explanatory statement

This amendment would clarify the scope of the Staying Close scheme.

BARONESS TYLER OF ENFIELD
BARONESS BARRAN

Clause 7, page 12, line 32, at end insert—

- “(vi) financial support and financial literacy”

Member's explanatory statement

This amendment adds financial support and financial literacy as services relevant children must be provided access to, as part of “staying close support”.

BARONESS BARRAN

Clause 7, page 12, line 38, at end insert—

- “(c) any other such support the local authority deems appropriate.”

Member's explanatory statement

This amendment would allow the local authority to use discretion to offer additional support to care leavers under the age of 25.

Clause 8

BARONESS BARRAN

Clause 8, page 13, line 23, at end insert—

- “(ca) setting out the transition arrangements for health and primary care for care leavers;”

Member's explanatory statement

This amendment aims to include transition arrangements across health and into primary care for care leavers, including flagging care leaver status with the consent of the individual and clear guidelines on the role of health services in supporting care leavers.

After Clause 8

BARONESS BARRAN

After Clause 8, insert the following new Clause—

“General practice services for care leavers

In the National Health Service (General Medical Services Contracts) Regulations 2015 (S.I. 2015/1862), after regulation 32A (Suspension of contract terms or of enforcement of contract terms while a disease is or in anticipation of a disease being imminently pandemic etc.), insert the following new regulation—

“Due regard to additional health needs of care leavers

32B. —Contracts negotiated under these regulations must have due regard to the additional health needs of care leavers under 25.”.”

Member's explanatory statement

This amendment would place a duty on the Secretary of State to have due regard to the additional health needs of care leavers under 25 when negotiating general practice contracts in the future.

After Clause 9BARONESS TYLER OF ENFIELD
BARONESS BARRAN

After Clause 9, insert the following new Clause—

“Promoting relationships for looked after children

In section 22(3A) of the Children Act 1989 (duty of local authority in relation to looked-after children), at end insert “and a duty to promote the child’s family and social relationships in ways which are consistent with the child’s welfare.”.”

Member's explanatory statement

This amendment adds promotion of a child’s family and social relationships to the safeguarding duties of a local authority.

LORD STOREY

After Clause 9, insert the following new Clause—

“Extension of pupil premium to children subject to a kinship care arrangement

- (1) The Secretary of State must, for the financial year beginning 1 April 2026 and for each year thereafter, provide that an amount is payable from the pupil premium grant to schools and local authorities in respect of each registered pupil in England who is a child living in kinship care.
- (2) The amount payable under subsection (1) must be equal to the amount that is payable for a pupil who is a looked after child.

(3) In this section—

“a child living in kinship care” is to be interpreted in the same manner as given in section 22I of the Children Act 1989, as inserted by section 5 of this Act;

“looked after child” has the same meaning as in the Children Act 1989;

“pupil premium grant” means the grant of that name paid to a school or a local authority by the Secretary of State under section 14 of the Education Act 2002 (power of Secretary of State and Senedd Cymru to give financial assistance for purposes related to education or children etc).”

Member's explanatory statement

This amendment would extend the pupil premium to children subject to a kinship care arrangement.

LORD STOREY

After Clause 9, insert the following new Clause—

“Kinship care allowance

- (1) A person is entitled to a kinship care allowance for any week in which that person is engaged as a kinship carer in England.
- (2) For the purposes of this section, a “kinship carer” has the meaning given in section 22I of the Children Act 1989, as inserted by section 5 of this Act.
- (3) A person is not entitled to an allowance under this section unless that person satisfies conditions prescribed in regulations made by the Secretary of State.
- (4) A person may claim an allowance under this section in respect of more than one child.
- (5) Where two or more persons would be entitled for the same week to such an allowance in respect of the same child, only one allowance may be claimed on the behalf of—
 - (a) the person jointly elected by those two for that purpose, or
 - (b) in default of such an election, the person determined by, and at the discretion of, the Secretary of State.
- (6) Regulations may prescribe the circumstances in which a person is or is not to be treated for the purposes of this section as engaged, or regularly and substantially engaged, in caring for a child under an eligible kinship care arrangement.
- (7) An allowance under this section is payable at the weekly rate specified by the Secretary of State in regulations.
- (8) Regulations under subsection (7) may specify—
 - (a) different weekly rates for different ages of children being cared for, or
 - (b) different weekly rates for different regions of England.
- (9) Regulations under subsection (7) must specify a weekly rate that is no lower than the minimum weekly allowance for foster carers published by the Secretary of

State pursuant to section 23 (national minimum standards) of the Care Standards Act 2000.

(10) A statutory instrument containing regulations under this section may not be made unless a draft of the instrument has been laid before and approved by a resolution of each House of Parliament.”

Member's explanatory statement

This amendment would mean a person is entitled to a kinship care allowance for any week in which that person is engaged as a kinship carer in England.

LORD STOREY
BARONESS BARRAN

After Clause 9, insert the following new Clause—

“Adoption and special guardianship support fund review

- (1) Within one month of the day on which this Act is passed, the Secretary of State must conduct a review of the level of funding available per child from the adoption and special guardianship support fund.
- (2) The review must produce recommendations regarding any steps necessary to increase the funds available per child.
- (3) The review must be laid before both Houses of Parliament.”

LORD STOREY
BARONESS BARRAN

After Clause 9, insert the following new Clause—

“Restoration of funding to the adoption and special guardianship support fund

Within one month of the day on which this Act is passed, the Secretary of State must increase the funding available per child per year under the adoption and special guardianship support fund to a level equal to or greater than the funding available per child under the fund in March 2025.”

Member's explanatory statement

This amendment would reverse the cut to the adoption and special guardianship support fund.

LORD STOREY
BARONESS BARRAN
LORD HAMPTON

After Clause 9, insert the following new Clause—

“Kinship care leave

- (1) The Secretary of State must, by regulations, entitle an individual to be absent from work on care leave under this section where—

- (a) the individual is a kinship carer, and
- (b) the individual satisfies conditions specified in the regulations.

(2) Regulations made under subsection (1) must include provision for determining –

- (a) the extent of an individual's entitlement to leave under this section, and
- (b) when leave under this section may be taken.

(3) Provision under subsection (2)(a) must secure that –

- (a) where one individual is entitled to leave under this section, they are entitled to at least 52 weeks of leave, or
- (b) where more than one individual is entitled to leave under this section in respect of the same child, those individuals are entitled to share at least 52 weeks of leave between them.

(4) An employee is entitled to leave under this section only if the eligible kinship care arrangement is intended to last –

- (a) at least one year, and
- (b) until the child being cared for attains the age of 18.

(5) For the purposes of this section, a “kinship carer” has the meaning given in section 22I of the Children Act 1989, as inserted by section 5 of this Act.

(6) Regulations made under this section may make provision about how leave under this section is to be taken.

(7) A statutory instrument containing regulations under this section may not be made unless a draft of the instrument has been laid before and approved by a resolution of each House of Parliament.”

Member's explanatory statement

This amendment would introduce an entitlement for an individual to be absent from work on care leave where the individual is a kinship carer.

BARONESS TYLER OF ENFIELD

★ After Clause 9, insert the following new Clause –

“Promoting contact between siblings who are not living together

In paragraph 3(1) of Schedule 1 to the Care Planning, Placement and Case Review (England) Regulations 2010 (S.I. 2010/959) (care plans), for the words from “for” to “together” substitute “whom they are not living with”.”

Member's explanatory statement

This amendment extends requirements to promote contact between a child in care and siblings who are not living with them, including those not in care, so far as this is consistent with the child's welfare.

Clause 10

BARONESS BARRAN

Clause 10, page 15, leave out lines 8 to 15

Member's explanatory statement

This amendment seeks to remove the Secretary of State's power to add to the list of strategic accommodation functions for local authorities.

Clause 11BARONESS BARRAN
LORD HAMPTON

Clause 11, page 16, line 33, after "care" insert ", education"

Member's explanatory statement

This amendment seeks to ensure that children deprived of their liberty have access to education.

BARONESS BARRAN

Clause 11, page 16, line 37, at end insert –

“(1C) Directors of Children's Services must review deprivation of liberty orders, under this section, every four weeks to ensure that it is appropriate for the order to remain in place.”

Member's explanatory statement

This amendment would require a review of deprivation of liberty orders to ensure that they remain appropriate for the relevant child.

THE LORD BISHOP OF MANCHESTER
BARONESS BARRAN

Clause 11, page 17, line 8, at end insert –

“(5A) After subsection (4) insert –

“(4A) Where an application is made under this section with respect to a child, the appropriate local authority must, within such time as the court may direct, prepare a plan setting out the action to be taken to end the deprivation of liberty of that child (“recovery plan”).”

Member's explanatory statement

This amendment requires local authorities to prepare a recovery plan for any child who is deprived of their liberty.

BARONESS BARRAN

Clause 11, page 17, line 25, at end insert –

“(8ZB) Where arrangements are made for the accommodation of a child under this section, health authorities specified in subsection (8ZC) must make joint funding arrangements under this section for the provision of that care.

(8ZC) The authorities are –

- (a) NHS England,
- (b) any integrated care board, Local Health Board, Special Health Authority, National Health Service trust or NHS foundation trust,
- (c) the Secretary of State in relation to his functions under section 12 of the National Health Service Act 2006, and
- (d) any person authorised by the Secretary of State for the purposes of this section.”

Member's explanatory statement

This amendment requires joint funding arrangements to be made by relevant health providers for the accommodation of children under section 25 of the Children Act 1989. By mandating joint funding from NHS England, integrated care boards, and other specified health authorities, this amendment seeks to ensure that children receive more holistic and joined up support.

THE LORD BISHOP OF MANCHESTER

Clause 11, page 17, line 25, at end insert –

“(9A) Section 27 of the Children Act 1989 (co-operation between authorities) is amended as follows.

(9B) After subsection (2) insert –

“(2A) In cases where children have been deprived of their liberty, the authorities listed in subsection (3) shall work with the local authority responsible for that child to ensure that support is jointly arranged, funded and delivered by multi-agency teams.””

Member's explanatory statement

This amendment requires other relevant bodies to work with local authorities to ensure that children deprived of their liberty receive multi-agency support. This amendment would require authorities to take joint responsibility for the care of children deprived of their liberty, and signal that systems must work closer together to ensure joined up care.

THE LORD BISHOP OF MANCHESTER
BARONESS BARRAN

Clause 11, page 17, line 40, at end insert—

- “(12) The relevant Secretaries of State for Education and for Health and Social Care must collaborate to lay before parliament, annually, a review of the impact of the measures contained in this section.
- (13) The review must, as a minimum, consider and report on the following matters—
 - (a) the numbers of new section 25 orders made during the last year in England and in Wales, the ages of the children places under them, and an analysis of whether and where the rate of use is increasing or decreasing;
 - (b) the durations of child detention or other restriction of liberty under such orders (minimum, maximum, mean and median);
 - (c) the types of accommodation in which section 25 orders have been applied, including their registration status with Ofsted or the Care Quality Commission;
 - (d) the approval and use of ‘recovery plans’ for all children to move on from section 25 orders in a short a period as safely possible;
 - (e) the involvement of Independent Reviewing Officers, independent advocates and children themselves in the making and reviewing of section 25 orders;
 - (f) the types of accommodation where children live following the end of a section 25 order.”

Member's explanatory statement

This amendment would require a review to be laid before Parliament, outlining the quantity and impact of section 25 orders that year.

After Clause 11

BARONESS TYLER OF ENFIELD

After Clause 11, insert the following new Clause—

“Extending “staying put arrangements” to the age of 25

In section 23CZA(6) of the Children Act 1989 (arrangements for certain former relevant children to continue to live with former foster parents), for “21” substitute “25”.”

Member's explanatory statement

This amendment would extend the staying put arrangements to the age of 25.

BARONESS BARRAN

After Clause 11, insert the following new Clause—

“Independent reviewing officer functions in relation to deprivation of liberty

- (1) Section 25B of the Children Act 1989 (functions of the independent reviewing officer) is amended as follows.
- (2) After subsection (3) insert—
“(3A) The independent reviewing officer has a duty to refer a child’s case to an officer of the Children and Family Court Advisory and Support Service if the child’s recovery plan made under section 25 is not effectively implemented by the local authority or any other body or person.””

Member's explanatory statement

This new clause expands the legal duties of the independent reviewing officer in relation to the oversight of an order, building upon section 25B Children Act 1989 and Regulation 45(3) of The Care Planning, Placement and Case Review (England) Regulations 2010.

Clause 21

THE LORD BISHOP OF MANCHESTER

Clause 21, page 39, line 28, at end insert—

- “(e) to have due regard to the need to remove or minimise the disadvantages suffered by looked-after children and relevant young persons.”

Member's explanatory statement

This amendment strengthens the current duty to be “alert to” the needs of looked-after children by requiring public bodies to have due regard to removing or reducing the disadvantages they face. It builds on awareness by turning it into action, ensuring that understanding leads to measurable improvement. This approach embeds care-experienced voices in decision-making and creates a shared responsibility across agencies, helping to break down silo working and deliver joined-up support.

THE LORD BISHOP OF MANCHESTER

Clause 21, page 39, line 34, at end insert—

- “(2A) A relevant authority exercising the duty under subsection (1) must take reasonable steps to avoid, reduce or otherwise mitigate any adverse impact of its policies and practices on looked-after children and relevant young persons.”

Member's explanatory statement

This amendment ensures that public bodies move beyond being merely aware of care-experienced young people’s needs to taking reasonable and practical steps to prevent harm caused by their policies. It complements the cultural aims of the Bill by providing a clear framework for shared action and accountability. By requiring active consideration of how decisions affect care-experienced

people, it will amplify their voices, strengthen collaboration, and provide a mechanism to break down silo working across education, health, housing, and social care.

Clause 22

LORD MORAES
BARONESS LISTER OF BURTERSETT

Clause 22, page 40, line 8, leave out subsections (1) and (2) and insert—

- “(1) If the duty under section 21(1) would require anything of the Secretary of State that is already required by section 55 of the Borders, Citizenship and Immigration Act 2019 (duty regarding the welfare of children), then the duty under section 21(1) does not apply to the Secretary of State.
- (2) In the exercise of—
 - (a) the duty under section 21(1) of this Act (insofar as it applies), and
 - (b) the duty under section 55 of the Borders, Citizenship and Immigration Act 2019,

the Secretary of State must ensure that nationality functions in relation to the acquisition of British citizenship by statutory right are distinguished from other nationality and immigration functions.”

Member's explanatory statement

This amendment would ensure there is no duplication of duties on the Secretary of State while ensuring that (i) the duties on corporate parents under section 21(1) concerning the wellbeing of young people include appropriate consideration and attention to matters of nationality rights and other matters of status in the UK; and (ii) it is made clear, for these purposes, that statutory rights to British citizenship must not be wrongly categorised or treated as if matters of immigration or discretion.

After Clause 27

BARONESS GREY-THOMPSON

After Clause 27, insert the following new Clause—

“Report: barriers to parental support in the care and wellbeing of critically ill children

- (1) Within twelve months of the passing of this Act, the Secretary of State must lay before each House of Parliament a report on the barriers preventing parents of critically ill children aged between 29 days and 16 years from being by their children's bedsides during periods of hospital care and the impact and potential harms this has on children's care, wellbeing and family life.
- (2) A report laid under subsection (1) must include assessments of—

- (a) the adequacy of existing measures in facilitating the care, wellbeing and family life of critically ill children aged between 29 days and 16 years by their parents,
- (b) the barriers facing parents of such children, including—
 - (i) financial pressures,
 - (ii) pressures arising from the parent's existing or future employment commitments, and
 - (iii) mental health difficulties,
- (c) options for providing additional support to the parents of such children during periods of hospital care, and
- (d) the impact such additional support would be likely to have on such children's care, wellbeing and family life.

(3) In preparing the report laid under subsection (1), the Secretary of State must consult—

- (a) parents of children who have received care in hospital for an extended period,
- (b) healthcare professionals, and
- (c) charities and civil society organisations offering support to parents of children receiving care in hospital.

(4) In preparing a report laid under subsection (1), the Secretary of State must have regard to the UK's international obligations, including under the United Nations Convention on the Rights of the Child adopted and opened for signature, ratification and accession by General Assembly resolution 44/25 of 20 November 1989.

(5) A Minister of the Crown must within the period of 28 Commons sitting days beginning with the laying of a report under subsection (1) make arrangements for a debate on the report by the House of Commons.

(6) A Minister of the Crown must within the period of 28 Lords sitting days beginning with the laying of a report under subsection (1) make arrangements for a debate on the report by the House of Lords."

Member's explanatory statement

This amendment would require the Secretary of State to report to Parliament on the barriers preventing parents of critically ill children aged between 29 days and 16 years from being by their bedside during periods of hospital care, including financial and workplace pressures, and mental health needs, and the impact this has on the child's care, wellbeing and family life. The amendment would also provide an opportunity for the consideration of that report by each House of Parliament.

BARONESS PENN
LORD STOREY
BARONESS CASS

After Clause 27, insert the following new Clause –

Guidance on the use of screens and communication with parents and carers in early years settings

- (1) The Secretary of State must, within six months of the day on which this Act is passed, update the early years foundation stage statutory framework for children aged 0 to 5 in early years settings to include guidance on –
 - (a) the appropriate and safe use of screens and digital technology in early years settings, and
 - (b) effective communication with parents and carers about screen use and digital technology.
- (2) The guidance must draw on advice from education and health professionals, researchers and academics including on the following areas –
 - (a) the benefits, harms or risks of harm associated with the exposure of children of differing ages, including children with special educational needs or disabilities, to screens and other digital devices,
 - (b) the balance between screen-based and non-digital activities for children in early years development and play,
 - (c) age-appropriate limits for screen time for children in early years settings,
 - (d) safeguarding policies for the use of personal devices and other screens in early years settings,
 - (e) the impact of carers' and parents' use of personal devices and screens on child wellbeing and development,
 - (f) the importance of screen-free times and environments, such as during meals, bedtimes, and outdoor play, and
 - (g) practical examples and communication strategies for early years practitioners to share with parents and carers to support healthy screen use and promote positive parent-child interaction, including alternatives such as reading together, helping with daily tasks, and engaging with the natural environment.”

LORD NASH
BARONESS CASS
BARONESS BENJAMIN

After Clause 27, insert the following new Clause –

“Action to prohibit the provision of VPN services to children in the United Kingdom

- (1) Within 12 months of the day on which this Act is passed the Secretary of State must, for the purpose of furthering the protection and wellbeing of children, make

regulations which prohibit the provision to UK children of a Relevant VPN Service (the “child VPN prohibition”).

- (2) Regulations under subsection (1) –
 - (a) may make provision for the provider of a Relevant VPN Service to apply to any person seeking to access its service in or from the UK age assurance which is highly effective at correctly determining whether or not that person is a child;
 - (b) must apply the child VPN prohibition to the provider of any Relevant VPN Service which is, or is likely to be –
 - (i) offered or marketed to persons in the United Kingdom;
 - (ii) provided to a significant number of persons.
 - (c) must make provision for the monitoring and effective enforcement of the child VPN prohibition.
- (3) OFCOM may produce guidance for providers of Relevant VPN Services to assist them in complying with the child VPN prohibition.
- (4) A statutory instrument containing regulations under subsection (1) may not be made unless a draft of the instrument has been laid before and approved by a resolution of each House of Parliament.
- (5) For the purposes of this section –

“child” means a person under the age of 18.

“consumer” means a person acting otherwise than in the course of a business.

“Relevant VPN Service” means a service of providing, in the course of a business, to a consumer, a virtual private network for accessing the internet.

“UK child” means any child who is in the United Kingdom.”

Member's explanatory statement

This new clause would require the Secretary of State to take action to promote and protect children's wellbeing, and to further support child protective measures in the Online Safety Act, by prohibiting the provision to children in the United Kingdom of VPN services which can facilitate evasion of OSA age-gating processes.

LORD NASH
BARONESS CASS
BARONESS BENJAMIN

Revised version of the amendment published on 16 October

After Clause 27, insert the following new Clause –

“Action to promote the wellbeing of children by combating child sexual abuse material (CSAM)

- (1) Within 12 months of the passing of this Act the Secretary of State must, for the purpose of promoting the wellbeing of children, make and bring into force regulations which require manufacturers, importers and distributors of relevant devices to satisfy the CSAM requirement specified in subsection (2).

- (2) The “CSAM requirement” is that any relevant device supplied for use in the UK must have installed tamper-proof system software which is highly effective at preventing the recording, transmitting (by any means, including livestreaming) and viewing of CSAM using that device.
- (3) The duties of manufacturers, importers and distributors to comply with the CSAM requirement specified by regulations under subsection (1) must be subject to enforcement as if the CSAM requirement was a security requirement for the purposes of Part 1 of the Product Security and Telecommunications Infrastructure Act 2022.
- (4) Regulations under subsection (1) must enable the Secretary of State, by further regulations, to expand the definition of ‘relevant devices’ to include other categories of device which may be used to record, transmit or view CSAM.
- (5) A statutory instrument containing regulations under subsection (1) may not be made unless a draft of the instrument has been laid before and approved by a resolution of each House of Parliament.
- (6) For the purposes of this section—
 - “child sexual abuse material” means images, video recordings or live videos involving child sexual abuse, including—
 - (a) any indecent photograph or pseudo-photograph of a child within the meaning of the Protection of Children Act 1978, and
 - (b) any prohibited image of a child, within the meaning of section 62 of the Coroners and Justice Act 2009, that is not an excluded image within the meaning of section 63 of that Act;
 - “relevant devices” are smartphones or tablet computers which are either internet-connectable products or network-connectable products for the purposes of section 5 of the Product Security and Telecommunications Infrastructure Act 2022; and
 - “manufacturer”, “importer”, “distributor”, and “supply” is each as defined in the Product Security and Telecommunications Infrastructure Act 2022.”

Member's explanatory statement

This new clause would require the Secretary of State to take action to promote and protect children's wellbeing by mandating the installation of software which prevents the creation, viewing and sharing of child sexual abuse material on smartphones and tablets which are supplied for use in the UK.

LORD NASH
BARONESS CASS
BARONESS BENJAMIN

After Clause 27, insert the following new Clause—

“Action to promote the wellbeing of children in relation to social media

- (1) Within 12 months of the day on which this Act is passed, the Secretary of State must, for the purposes of promoting the wellbeing of children—

- (a) direct the Chief Medical Officers of the United Kingdom (“the UK CMOs”) to prepare and publish advice for parents and carers on the use of social media by children at different ages and developmental stages, and
- (b) by regulations made by statutory instrument require all regulated user-to-user services to use highly-effective age assurance measures to prevent children under the age of 16 from becoming or being users.

(2) Any advice published under subsection (1)(a) must have regard to—

- (a) the paper published on 7 February 2019 entitled “United Kingdom Chief Medical Officers’ commentary on ‘Screen-based activities and children and young people’s mental health and psychosocial wellbeing: a systematic map of reviews’”, and
- (b) any scientific or other developments since the publication of that paper which appear to the UK CMOs to be relevant.

(3) Any regulations under subsection (1)(b) must be treated as an enforceable requirement within the meaning of section 131 (and for the purposes of Part 7) of the Online Safety Act 2023.

(4) A statutory instrument containing regulations under subsection (1)(b) may not be made unless a draft of the instrument has been laid before and approved by a resolution of each House of Parliament.

(5) For the purposes of this section—

“the Chief Medical Officers of the United Kingdom” means the Chief Medical Officers for—

- (a) England,
- (b) Wales,
- (c) Scotland, and
- (d) Northern Ireland;

“regulated user-to-user services” is as defined in the Online Safety Act 2023.”

Member's explanatory statement

This new clause would require the Secretary of State to take action to promote children’s wellbeing in relation to their use of social media by commissioning advice from the Chief Medical Officers and introducing regulations to prevent under 16s from accessing social media.

THE LORD BISHOP OF MANCHESTER
BARONESS TYLER OF ENFIELD

After Clause 27, insert the following new Clause—

“National Care Offer

(1) The Secretary of State must, within 18 months of the passing of this Act, publish a document (the “National Care Offer”) which sets out the minimum standards of information that local authorities must publish under section 2 of the Children and Social Work Act 2017 (local offer for care leavers).

- (2) Before publishing or revising the National Care Offer, the Secretary of State must consult with persons that appear to the Secretary of State to represent the interests of care leavers.
- (3) Where a consultation under subsection (2) results in recommendations to be made to the National Care Offer, the Secretary of State must—
 - (a) make the recommended changes or otherwise implement the recommendations, or
 - (b) where not intending to make the recommended changes or otherwise implement the recommendations, publish a response to the consultation outlining the reasons for the Secretary of State's decision and the action that will be taken instead.”

THE LORD BISHOP OF MANCHESTER

After Clause 27, insert the following new Clause—

“Care-experience in equality impact assessments

- (1) A public authority undertaking an impact assessment in the exercise of its duties under—
 - (a) section 149 of the Equality Act 2020;
 - (b) the Equality Act 2010 (Statutory Duties) (Wales) Regulations 2011;
 - (c) the Equality Act 2010 (Specific Duties) (Scotland) Regulations 2012;
 - (d) section 75 of the Northern Ireland Act 1998;

must include an assessment of the impact on persons who are or have been looked after by a local authority.”

Member's explanatory statement

By including Care Experience in Equality Impact Assessments, this amendment provides a mechanism that public bodies already understand and use, helping to support the extension of Corporate Parenting responsibilities in a way that is structured, measurable, and embedded in existing decision-making processes.

BARONESS FINLAY OF LLANDAFF
LORD HAMPTON
BARONESS LISTER OF BURTERSETT

After Clause 27, insert the following new Clause—

“Response to Abolition of Defence of Reasonable Punishment review in Wales

- (1) The Secretary of State must, within six months of the day on which this Act is passed, lay a report before Parliament setting out the UK Government's response to the post-implementation report for the Children (Abolition of Defence of Reasonable Punishment) (Wales) Act 2020 and that must include—
 - (a) a review of available data and evidence in Wales, and
 - (b) a consideration of the impact of abolition in England.

(2) If the post-implementation report is not published within six months of the Act being passed, the Secretary of State must lay a report outlining the UK Government's position on removing the reasonable punishment defence from law in England."

Member's explanatory statement

This new clause would require the Government to formally respond to the post-implementation report for the abolition of the reasonable punishment defence in Wales that is due by the end of 2025 by laying a report before parliament.

BARONESS BARRAN

After Clause 27, insert the following new Clause—

"Free milk entitlement: child minder agencies

(1) The Secretary of State must, using powers under section 175 of the Social Security Contributions and Benefits Act 1992 (regulations, orders and schemes), amend regulation 18 of the Welfare Food Regulations 1996 (milk or dried milk for children in day care) to ensure that children provided with daycare by childminders registered with child minder agencies are entitled to free milk.

(2) The Secretary of State must make regulations under subsection (1) within six months of the day on which this Act is passed."

BARONESS BARRAN

After Clause 27, insert the following new Clause—

"Post-removal support for parents to prevent further removals

(1) Where a child—

(a) is removed from the care of a parent further to any order made pursuant to—

(i) section 31 of the Children Act 1989 (care and supervision orders),

(ii) section 22 of the Adoption and Children Act 2002 (placement orders),

(iii) section 46 of the Adoption and Children Act 2002 (adoption orders),

(iv) section 14A of the Children Act 1989 (special guardianship orders), or

(b) becomes a looked after child further to an arrangement or order made pursuant to—

(i) section 20 of the Children Act 1989 (provision of accommodation for children: voluntary arrangements), or

(ii) section 25 of the Children Act 1989 (secure accommodation orders), the local authority must provide support to the parent, where the parent is identified as being at risk of experiencing further child removals.

- (2) In discharging their duty under subsection (1), the local authority must ensure that the support provided—
 - (a) follows an evidence-informed approach and aims to reduce the risk of further child removals, and
 - (b) is in accordance with any guidance issued by the Secretary of State for the purposes of this section.”

Member's explanatory statement

This clause aims to make sure that local authorities offer evidence-informed support to reduce the risk of parents who have one child removed having future children removed.

BARONESS BARRAN

After Clause 27, insert the following new Clause—

“Foster carers’ delegated authority for children in their care

- (1) Where a child (“C”) who is looked after by the local authority is placed with a foster parent (“F”) by a local authority, F may make decisions on C’s behalf in relation to the matters set out in subsection (2) where C’s placement plan does not specify an alternative decision maker.
- (2) The matters referred to in subsection (1) are—
 - (a) medical and dental treatment,
 - (b) education,
 - (c) leisure and home life,
 - (d) faith and religious observance,
 - (e) use of social media,
 - (f) personal care, and
 - (g) any other matters which F considers appropriate.”

Member's explanatory statement

This amendment seeks to ensure that foster carers have a clear delegated authority to make the day-to-day decisions in a child’s life.

BARONESS BARRAN

After Clause 27, insert the following new Clause—

“Data collection: repeat child removals

- (1) A local authority must collect and retain information on whether a child removed under any of the following provisions was removed from the care of a parent who has previously had another child removed under any of those same provisions—
 - (a) section 31 of the Children Act 1989 (care and supervision orders);
 - (b) section 21 of the Adoption and Children Act 2002 (placement orders);
 - (c) section 46 of the Adoption and Children Act 2002 (adoption orders);
 - (d) section 14A of the Children Act 1989 (special guardianship orders);

- (e) section 20 of the Children Act 1989 (provision of accommodation for children: voluntary arrangements);
- (f) section 25 of the Children Act 1989 (secure accommodation orders).

(2) The Secretary of State must make directions under section 83 of the Children Act 1989 or section 7A of the Local Authority Social Services Act 1970 to require the provision of such information as part of the annual children looked after data return (SSDA903), or any replacement data return.”

Member's explanatory statement

This amendment would create national data on repeat removals of children from their parents' care.

LORD MOHAMMED OF TINSLEY

After Clause 27, insert the following new Clause—

“Establishment of Child Protection Authority

- (1) The Secretary of State must, within six months of the day on which this Act is passed, establish a Child Protection Authority for England.
- (2) The purpose of the Authority is to—
 - (a) improve practice in child protection,
 - (b) provide advice and make recommendations to the Government on child protection policy and reforms to improve child protection,
 - (c) inspect institutions and settings at some times and in such ways as it considers necessary and appropriate to ensure compliance with child protection standards, and
 - (d) monitor the implementation of the recommendations of the Independent Inquiry into Child Sexual Abuse and other inquiries relating to the protection of children.
- (3) The Authority must act with a view to—
 - (a) safeguarding and promoting the welfare of children;
 - (b) ensuring that institutions and settings fulfil their responsibilities in relation to child protection.”

Member's explanatory statement

This amendment establishes the Child Protection Authority for England.

LORD MOHAMMED OF TINSLEY

After Clause 27, insert the following new Clause—

“National standards for children in need thresholds

- (1) The Secretary of State must, within one year of the day on which this Act is passed, conduct a review of the operation of section 17 of the Children Act 1989 (provision of services for children in need, their families and others).

- (2) The review must assess regional and national variation in the type, frequency, and duration of support provided to children through child in need plans.
- (3) The recommendations of the review must include the –
 - (a) setting of metrics in the Department for Education's Children's Social Care Dashboard for assessing the progress of children on child in need plans, and
 - (b) publication of national guidance to local authorities defining the thresholds of need that children and families must meet to be offered children in need support.
- (4) The national guidance published under subsection (3)(b) must include –
 - (a) national triggers for an automatic referral to children's social care, including when a primary care giver enters custody or inpatient mental health provision, and when a child is arrested,
 - (b) the Secretary of State's expectations on how often children should receive help,
 - (c) the Secretary of State's expectations on how frequently a child's support should be reviewed when they have a child in need plan, and
 - (d) any other matters that the Secretary of State deems appropriate.”

Member's explanatory statement

The purpose of this new clause is to reduce regional variations in the type, frequency and duration of support that children receive through child in need plans.

BARONESS WALMSLEY

After Clause 27, insert the following new Clause –

“Automatic enrolment for Healthy Start scheme

- (1) The Secretary of State must, within six months of the day on which this Act is passed, introduce a scheme to automatically enrol certain individuals for the purposes of the Healthy Start scheme.
- (2) For the purposes of this section, “certain individuals” means people who are eligible for the Healthy Start scheme on the basis of having a child under the age of four.
- (3) The scheme must provide the means for individuals to opt out of enrolment for the Healthy Start scheme.”

Member's explanatory statement

This amendment provides for the auto-enrollment of certain individuals on to the Healthy Start scheme.

After Clause 29

BARONESS WALMSLEY

After Clause 29, insert the following new Clause—

“School food improvement scheme

- (1) Within 12 months of the day on which this Act is passed, the Secretary of State must review the national school food standards, including breakfasts, and institute a scheme for monitoring compliance with the standards in England, and supporting schools and school caterers in England to meet those standards (“the national school food improvement scheme”).
- (2) The purpose of the national school food improvement scheme will be to determine whether applicable food standards duties are being met in the provision of all food in schools in England and to assist schools and school caterers in meeting applicable food standards duties in England.
- (3) The national school food improvement scheme may from time to time publish reports highlighting achievements, sharing successful approaches, and offering guidance as it sees fit relating to school food standards in England.”

Member's explanatory statement

This new clause would improve the national school food standards and establish a national school food improvement scheme, to ensure that the breakfast club provision included within this Bill, along with all other school food, follows school food standards, and to support schools to meet those standards.

Clause 30

LORD MOHAMMED OF TINSLEY

Clause 30, page 52, leave out lines 33 to 40 and insert—

- “(1) The appropriate authority of a relevant school in England may not require a pupil at the school to have to buy branded items of school uniform for use during a school year which cost more in total to purchase than a specified monetary amount, to be reviewed annually.
- (1A) The Secretary of State may by regulations specify the monetary amount that may apply to—
 - (a) a primary pupil, and
 - (b) a secondary pupil.
- (1B) A statutory instrument containing regulations under subsection (1A) may not be made unless a draft of the instrument has been laid before and approved by a resolution of each House of Parliament.”

Member's explanatory statement

This amendment imposes a monetary cap, rather than an item cap, on branded uniform items.

BARONESS BARRAN
LORD HAMPTON

Clause 30, page 52, line 34, leave out “have” and insert “buy”

Member's explanatory statement

This amendment would allow schools to require more than 3 branded items of school uniform in primary if parents did not have to buy them.

BARONESS BARRAN
LORD HAMPTON

Clause 30, page 52, line 37, leave out “have” and insert “buy”

Member's explanatory statement

This amendment would allow schools to require more than 4 branded items of school uniform in secondary if parents did not have to buy them.

LORD YOUNG OF ACTON
BARONESS SPIELMAN

Clause 30, page 52, line 40, at end insert “unless the branded item of school uniform has been provided or lent to the primary pupil or the secondary pupil free of charge by the appropriate authority or by anyone else.”

Member's explanatory statement

The amendment would exclude from the restriction on branded clothing items of school uniform which have been provided or lent to a pupil free of charge.

After Clause 30

LORD MOHAMMED OF TINSLEY

After Clause 30, insert the following new Clause—

“VAT zero-rating for certain items of school uniform

- (1) The Secretary of State must, within six months of the day on which this Act is passed, make provision by regulations for certain items of school uniform to be zero-rated for the purposes of VAT.
- (2) For the purposes of this section, “certain items of school uniform” means items of school uniform for pupils up to the age of 16.
- (3) A statutory instrument containing regulations under this section may not be made unless a draft of the instrument has been laid before and approved by a resolution of each House of Parliament.”

Member's explanatory statement

This amendment makes provision for certain items of school uniform to be zero-rated for the purposes of VAT.

Clause 31

BARONESS BARRAN
LORD HAMPTON

Clause 31, page 55, line 2, at end insert—

- “(c) providing services to the child or their family under section 17 of the Children Act 1989 (provision of services for children in need, their families, and others),
- or has ever provided services to the child or their family under section 47 of the Children Act 1989 (local authority’s duty to investigate).”

Member's explanatory statement

This amendment seeks to ensure local authorities had to consent to withdrawing children from school if there is a child protection plan in place or if a child is a “child in need”, or if there has ever been a child protection plan in place, in relation to the relevant child or their family.

LORD CRISP

Clause 31, page 55, line 19, after “school” insert “, and a court confirms their view”

Member's explanatory statement

This amendment provides the opportunity for an independent assessment of what is in a child’s best interest.

BARONESS BARRAN

★

Clause 31, page 55, line 33, at end insert—

- “(8A) Where a local authority refuses consent in respect of a child who meets the criteria for Condition A, the local authority must provide the parents or carers of the relevant child with a statement of reasons for the decision.
- (8B) A statement of reasons provided under subsection (8A) must include an assessment of the costs and benefits to the child.”

Member's explanatory statement

This amendment would require a local authority to submit a statement of reasons when they do not agree for a child who meets Condition A to be home educated.

LORD CRISP

Clause 31, page 56, line 28, at end insert –

“(11A) If a question is referred under subsection (11), the Secretary of State or the Welsh Ministers must –

- (a) publish their requirements for the evidence to be presented before they will consider such a reference;
- (b) issue guidance as to how the process of reference works, including worked examples of complaints that would have, and would not have, succeeded;
- (c) set target times for the consideration of a reference;
- (d) keep the above information updated.

(11B) If a question is referred under subsection (11), the Secretary of State or the Welsh Ministers (as the case may be) may delegate their functions under subsection (11) to a tribunal, and may alternatively or additionally provide that cases under this subsection shall fall within the remit of the Local Government Ombudsman.”

Member's explanatory statement

This amendment seeks to clarify how a referral to the Secretary of State or Welsh Ministers under (11)(a) above will be undertaken.

Clause 32

BARONESS BENJAMIN

Clause 32, page 57, line 11, leave out “C” and insert “D”

BARONESS BENJAMIN

Clause 32, page 57, line 28, at end insert –

“(5A) Where a child is not registered by a local authority because the child is taking part in performances or activities set out in section 37(1) to (3) of the Children and Young Persons Act 1963 (restriction on persons under 16 taking part in public performances, etc.) and section 25 of the Children and Young Persons Act 1933 (restrictions on persons under eighteen going abroad for the purpose of performing for profit), the local authority has a duty to ensure that the child is registered as required by the Children (Performances and Activities) (England) (Wales) Regulations 2014.”

BARONESS BENJAMIN

Clause 32, page 57, line 28, at end insert –

“(5A) Condition D is that the child is not taking part in any performances or activities set out in section 37(1) to (3) of the Children and Young Persons

Act 1963 (restriction on persons under 16 taking part in public performances etc.) and section 25 of the Children and Young Persons Act 1933 (restrictions on persons under eighteen going abroad for the purpose of performing for profit)."

BARONESS BARRAN

Clause 32, page 58, line 13, leave out from beginning to end of line 11 on page 60 and insert—

"436C Content of and additional information in registers

- (1) A register under section 436B must contain, in respect of each child registered—
 - (a) the child's name, date of birth and home address,
 - (b) the name and home address of the parent or parents who are taking responsibility for the education of the child, and
 - (c) a brief description, in a form prescribed by regulations, of the primary type of education received by the child.
- (2) Regulations under subsection (1)(c) may only require information that is necessary for the purposes of—
 - (a) enabling a local authority to identify children in its area who may not be receiving a suitable education, or
 - (b) safeguarding and promoting the welfare of the child.
- (3) Nothing in this section prevents a local authority from requesting further information from a parent in a particular case where the authority has reasonable cause to believe that a child may not be receiving a suitable education or that the child's welfare may be at risk."

Member's explanatory statement

This amendment seeks to replace much of section 436C with a narrower provision that limits the core content of local authority registers to information needed to identify the child, contact the responsible parent and understand the child's main educational setting, allowing local authorities to seek further information in individual cases where this is reasonably considered strictly necessary to assess the suitability of education or to safeguard the child. It also removes the ability of the Secretary of State or Welsh Ministers to require additional information to be included in the register of children not in school.

LORD CRISP

Clause 32, page 64, line 36, at end insert—

- "(2A) A local authority must, in general and at the outset of any relationship with an individual family, act supportively towards home educating families.
- (2B) A local authority must ensure that there are arrangements within its area to enable home educated children to take English and Maths GCSE examinations upon payment of the requisite exam board fee only.

(2C) The Secretary of State must support, through negotiations with the relevant national bodies, the ability of local authorities to put arrangements under subsection (2B) in place at a reasonable cost.”

Member's explanatory statement

This amendment seeks to address the difficulty many home educated children have in accessing public exams in their area and doing so at a reasonable cost.

Clause 46

BARONESS BARRAN

★ Clause 46, page 112, line 1, leave out sub-paragraph (i)

Member's explanatory statement

This amendment would remove the ability of the TRA to investigate complaints before a teacher began their teaching career.

Clause 51

BARONESS BARRAN

Clause 51, page 118, leave out lines 2 to 23, and insert—

- “(a) in subsection (A1), at the end insert “unless the Secretary of State determines that no suitable sponsor is available”;
- (b) after subsection (A1) insert—
 - “(A2) Where the Secretary of State determines that no suitable sponsor is available, the Secretary of State must, within 14 days, publish a plan to secure appropriate governance and leadership of the school and to secure its rapid improvement.
 - (A3) A plan published under subsection (A2) must include—
 - (a) the parties with responsibility for the school and its improvement,
 - (b) the parties who will take action to improve provision in the school,
 - (c) the resources that will be provided to the relevant parties, including who will provide the resources and when the resources will be provided, and
 - (d) the intended outcomes of the plan, with the relevant timetables for the outcomes.
 - (A4) The Secretary of State must report annually to Parliament on—
 - (a) the number of times the Secretary of State has published a plan under subsection (A2),
 - (b) the resources which have been provided as part of any plans, and

(c) the outcomes of any plans.””

Member's explanatory statement

This amendment seeks to retain the existing requirement to make an academy order unless the Secretary of State determines there is no suitable sponsor available.

LORD STOREY

Clause 51, page 118, line 4, at end insert –

- “(c) after subsection (1A) insert –
- “(1B) Before deciding whether to issue an Academy order in respect of a maintained school, the Secretary of State must issue an invitation for expressions of interest for suitable sponsors.
- (1C) The Secretary of State must make an assessment of whether to issue an Academy order based on the established track record of parties who responded to the invitation issued under subsection (1B) with an expression of interest in raising school standards.””

Member's explanatory statement

This amendment creates an obligation to invite, and assess the value of, alternative sponsorship of those schools which may be subject to an Academy Order, ahead of the Order being enacted.

LORD STOREY

Clause 51, page 118, line 23 at end insert –

- “(10) Before the amendments made by this section come into force, the Secretary of State must lay before Parliament a report detailing –
- (a) the mechanisms, including Academy Orders, by which improvement of school standards can be achieved, and
- (b) guidance on the appropriate usage of these mechanisms.”

Member's explanatory statement

This amendment mandates the Secretary of State to report on the existing mechanisms for improvement of school standards, ahead of amendments relating to academy orders, being tabled.

After Clause 56

BARONESS BARRAN



After Clause 56, insert the following new Clause –

“Reasonableness and safeguards in the exercise of local authority powers

- (1) In exercising powers under sections 54 to 56, a local authority must act reasonably and proportionately, having regard to –
 - (a) the needs of the child,

- (b) the needs of other pupils at the school, and
- (c) the capacity of the school to meet the child's needs safely and effectively.

(2) An Academy may, within 10 school days of receiving a direction or proposed direction under sections 54 to 56, notify the local authority and the Secretary of State that it considers the direction to be unreasonable on one or more of the following grounds—

- (a) that the Academy cannot reasonably be expected, with the resources and specialist expertise available to it, to meet the child's special educational needs or other significant additional needs;
- (b) that admitting the child would seriously prejudice the education or welfare of existing pupils or the safety of pupils or staff;
- (c) that suitable and reasonably accessible alternative provision is available which is better able to meet the child's needs;
- (d) that the direction is otherwise irrational or disproportionate.

(3) Where notice is given under subsection (2), the direction shall not take effect until—

- (a) the Secretary of State has confirmed, varied or set aside the direction, or
- (b) such other independent review body as may be prescribed by regulations has determined the matter.

(4) Before confirming or varying a direction under subsection (3), the Secretary of State (or other prescribed body) must—

- (a) give the Academy proprietor and the local authority an opportunity to make written representations, and
- (b) have regard to any relevant code of practice or statutory guidance.

(5) In this section “Academy” has the same meaning as in this Act.

(6) In exercising functions under this section, the Secretary of State (or other prescribed body) must have particular regard to the importance of securing fair access for looked-after children, previously looked-after children, children who have been excluded from a previous school and children with an education, health and care plan.

(7) A statutory instrument containing regulations under this section may not be made unless a draft of the instrument has been laid before and approved by a resolution of each House of Parliament”

Member's explanatory statement

This new clause provides safeguards for Academies where a local authority uses its powers under clauses 54 to 56 to direct an Academy to admit a particular child.

Clause 57

BARONESS BARRAN

★ Clause 57, page 122, line 21, at end insert—

“(5A) The adjudicator may not issue a direction under this section requiring the governing body of a maintained school or the proprietor of an Academy to reduce the school’s published admission number unless satisfied that—

- (a) the direction is necessary and proportionate to secure the efficient and effective use of education provision within the local authority area, and
- (b) the school—
 - (i) is not operating at or above its current published admission number, and
 - (ii) has not, within the period of three years preceding the direction, been assessed by His Majesty’s Chief Inspector as providing education that is of a high quality.

(5B) For the purposes of subsection (5A)(b)(ii), a school shall be regarded as providing education of a high quality where—

- (a) the most recent inspection carried out under section 5 or section 8 of the Education Act 2005 (duty to inspect schools) concludes that the quality of education at the school is effective or better, or
- (b) any equivalent finding is made under an inspection framework that succeeds that in force at the passing of this Act.

(5C) Before issuing a direction under this section requiring a reduction in a school’s published admission number, the adjudicator must consider whether the objective could more appropriately be achieved by means of changes to the pattern of provision in the area, including (where appropriate) the amalgamation or closure of schools, in accordance with any applicable statutory and departmental guidance on school organisation.

(5D) In exercising functions under this section, the adjudicator must have regard to—

- (a) the desirability of giving effect to parental preferences for schools, and
- (b) the need to avoid measures that would unduly restrict access to schools that are providing high-quality education or that are in strong demand from parents.”

Member's explanatory statement

This amendment seeks to limit the circumstances in which the schools adjudicator may direct a maintained school or academy to reduce its published admission number and requires the adjudicator to consider alternative school organisation measures (including amalgamation or closure) before constraining the intake of popular or high quality schools.

BARONESS BARRAN
LORD HAMPTON

Leave out Clause 57

After Clause 57

BARONESS BURT OF SOLIHULL

After Clause 57, insert the following new Clause—

“Reporting of faith-based selection in school admissions

- (1) The Secretary of State must, within 12 months of the day on which this Act is passed, collect and publish data on the individual admission arrangements used by all schools.
- (2) The Secretary of State must, on an annual basis—
 - (a) require schools, via the school census, to report their current admission policy, specifying the proportion of places that may be allocated based on faith-related criteria such as proof of religious affiliation;
 - (b) include information on school admissions and faith-based selection in all relevant education data publications, including national education statistics, Department for Education published data files, and the “Get Information About Schools” service.”

Member's explanatory statement

This new Clause would introduce a requirement for regular and transparent reporting of individual school admission arrangements. It seeks to clarify the extent to which schools with a religious character use faith-based criteria – such as proof of faith – for selecting pupils.

Clause 58

BARONESS BARRAN

Leave out Clause 58

After Clause 63

LORD NORTON OF LOUTH

After Clause 63, insert the following new Clause—

“Review of the Act

- (1) The Secretary of State must—
 - (a) carry out a review of the operation and effect of this Act,
 - (b) set out the conclusions of the review in a report,
 - (c) publish the report, and

(d) lay a copy of the report before Parliament.

(2) The report must be published before the end of the period of five years beginning with the day on which this Act is passed.”

LORD HARRIES OF PENTREGARTH
LORD HODGSON OF ASTLEY ABBOTTS

After Clause 63, insert the following new Clause—

“Citizenship education: British values

(1) In any statement relating to British values for education purposes at primary and secondary level in England and Wales, the Secretary of State, OFSTED and any other public authority must include—

- (a) democracy,
- (b) the rule of law,
- (c) freedom,
- (d) equal respect for every person, and
- (e) respect for the environment.

(2) Any statement in subsection (1) must refer to British values as “values of British citizenship”.

(3) The values listed under paragraphs (1)(a) to (e) must be taught as part of citizenship education for key stages 1, 2, 3 and 4.

(4) In section (1)(a) “democracy” includes—

- (a) an independent judiciary,
- (b) in a Parliamentary system, a Government that is accountable to Parliament, regular election, and
- (c) decentralised decision-making, accountable at an appropriate level to the electorate.

(5) In subsection (1)(c) “freedom” includes—

- (a) freedom of thought, conscience and religion,
- (b) freedom of expression, and
- (c) freedom of assembly and association.

(6) In subsection (1)(e) “respect for the environment” means taking into account the systemic effect of human actions on the health and sustainability of the environment both within the United Kingdom and the planet as a whole, for present and future generations.”

LORD YOUNG OF ACTON

After Clause 63, insert the following new Clause—

“Duty to keep schools open for in person attendance

- (1) So far as reasonably possible, public authorities must ensure that, during the period of any civil emergency, schools are kept open for in person attendance by children and young people.
- (2) The Secretary of State must, by regulations, make provision about how public authorities should discharge the duty under subsection (1), including provision specifying—
 - (a) steps that a public authority may or must take to comply with the duty, and
 - (b) actions that a public authority is prohibited from taking.
- (3) Regulations made under subsection (2) must be made by statutory instrument.
- (4) A statutory instrument containing regulations under subsection (2) may not be made unless a draft has been laid before, and approved by a resolution of, each House of Parliament.
- (5) A power to make regulations under this section includes the power to make—
 - (a) consequential, incidental, supplementary, transitional or saving provision;
 - (b) different provision for different purposes.
- (6) A public authority must not, in response to a civil emergency, take or facilitate any action (including making regulations, issuing directions, issuing orders, giving guidance, or making recommendations) that—
 - (a) results in, or encourages, the closure of schools, or
 - (b) otherwise prevents or restricts lawful attendance at such institutions or premises by children and young people,unless the requirements of subsection (7) are met.
- (7) Before taking any action of the kind described in subsection (6), the public authority must first, unless the urgency of the civil emergency precludes this—
 - (a) request the advice of the Children's Commissioner on the likely impact of such action on the children and young people who will be affected by the action,
 - (b) provide the Children's Commissioner with full and complete information about the nature of and reasons for the proposed action, and
 - (c) have due regard to the Children's Commissioner's advice in determining whether to proceed with the action.
- (8) If any action of the kind described in subsection (6) is taken prior to seeking the advice of the Children's Commissioner due to urgency—
 - (a) as soon as reasonably practicable and in any event within seven days of taking the action, the public authority must provide the Children's Commissioner with full and complete information about the nature of and reasons for that action;

- (b) the Children's Commissioner must then promptly, and in any event within 14 days of the action having been taken, provide the public authority with its advice in relation to the impact of that action on children and young people;
- (c) the public authority, having due regard to the Commissioner's advice, shall determine whether the action continues to be justified or whether it should be revoked.

(9) If action of the kind described in subsection (6) continues beyond 14 days, and in relation to each such period of 14 days thereafter, the Secretary of State must—

- (a) lay before Parliament a copy of the Children's Commissioner's advice, and
- (b) seek approval from both Houses of Parliament for the continuation of the action.

(10) If Parliament does not approve continuation under subsection (9)(b) within 14 days of the advice of the Children's Commissioner being laid before Parliament under subsection 9(a), the relevant action automatically lapses, and any measures (including regulations, directions, orders, guidance, or recommendations made in support of or continuance of the relevant action) become legally void.

(11) Where under any of the above provisions the advice of the Children's Commissioner is sought, the Children's Commissioner shall set out in writing his or her advice on the following matters—

- (a) the foreseeable impacts of any closures of schools on the affected children and young people,
- (b) any reasonable actions that could be taken to mitigate those impacts,
- (c) whether the anticipated benefits for those children of the closures identified by the public authority appear to him or her to outweigh the foreseeable impacts of closures for those children, and
- (d) any other matters which appear to him or her to be relevant.

(12) The Children's Commissioner is entitled to require the public authority or the Secretary of State to provide such further information, assistance, and resources as he or she considers necessary in order to set out his or her advice on a particular action and the public authority or the Secretary of State, as the case may be, shall provide such information, assistance or resources as soon as reasonably practicable.

(13) For the purposes of this section—

- “children” means persons under the age of 18;
- “civil emergency” shall include any emergency situation which could constitute an emergency for the purposes of section 1 of the Civil Contingencies Act 2004 or which has otherwise been identified as a risk in the UK's National Security Risk Assessment. For the avoidance of doubt an emergency need not be the subject of measures taken under the Civil Contingencies Act 2004 to be a civil emergency for the purposes of this Act;
- “closure” in relation to schools, means any action to discourage, restrict or prevent in person attendance at those institutions or premises by children

and young people who would ordinarily be entitled to attend, or any sub-group or class of such children or young people;

“open for in person attendance” in relation to schools, means being open for the attendance by all of the children who would ordinarily, and but for the occurrence of a civil emergency, be entitled to attend those institutions or premises, during their normal hours of operation;

“open for in person attendance” does not include the provision of online learning or other remote learning services nor the keeping of such institutions or premises open for physical attendance only for a sub-group or class of those children or young people who would ordinarily be entitled to attend;

“public authority” has the same meaning as in section 6 of the Human Rights Act 1998 save that a court or tribunal is not included for these purposes.”

Member's explanatory statement

The purpose of the amendment is to enact a statutory duty to keep schools open for in person attendance in future public health and other civil emergencies, unless Parliament expressly approves, and continues every two weeks to approve, any closures.

BARONESS MORGAN OF COTES
BARONESS LISTER OF BURTERSETT

After Clause 63, insert the following new Clause—

“Duty to provide relationships and sex education and PSHE to persons who have not attained the age of 18 at further education institutions

- (1) The Children and Social Work Act 2017 is amended as follows.
- (2) In section 34 (education relating to relationships and sex)–
 - (a) at the end of subsection (1)(b) insert–
 - (c) relationships and sex education to be provided to persons who have not attained the age of 18 and who are receiving education at post-16 education institutions in England.”;
 - (b) in subsection (2)(a), after “schools” insert “and further education providers”;
 - (c) in subsection (2)(b), after “schools” insert “and further education providers”;
 - (d) in subsection (2)(c), after “schools” insert “and further education providers”.
- (3) In section 35 (other personal, social, health and economic education)–
 - (a) at the end of subsection (1)(b) insert–
 - (c) to persons who have not attained the age of 18 and who are receiving education at post-16 education institutions in England.”;
 - (b) in subsection (2)(a), after “schools” insert “and further education providers”;
 - (c) in subsection (2)(b), after “schools” insert “and further education providers”;

- (d) in subsection (2)(c), after “schools” insert “and further education providers”.”

Member's explanatory statement

This new clause would extend the existing provision of relationships and sex education and PSHE under the Children and Social Work Act 2017 to people under the age of 18 who are receiving education at post-16 education institutions in England.

BARONESS MORGAN OF COTES
LORD FREYBERG

After Clause 63, insert the following new Clause—

“Allergy safety provisions in schools

- (1) Within 12 months of the day on which this Act is passed, all schools in England must—
 - (a) adopt a school allergy and anaphylaxis policy,
 - (b) obtain individual healthcare and anaphylaxis action plans for all pupils with allergies,
 - (c) purchase and store in-date adrenaline auto-injectors on school property,
 - (d) provide training for school staff on allergy awareness and administering adrenaline auto-injectors, and
 - (e) record any allergic reactions in the pupil’s individual healthcare and anaphylaxis action plan.
- (2) The Secretary of State must provide guidance to schools on the implementation of subsection (1) within six months of the day on which this Bill is passed.”

Member's explanatory statement

This amendment seeks to introduce mandatory allergy safety policies for all schools in England.

LORD FREYBERG

As an amendment to the amendment in the name of Baroness Morgan of Cotes to After Clause 63

After subsection (1)(a), insert—

- “(aa) ensure that the school’s allergy and anaphylaxis policy applies to any external catering provider operating on school premises and that such providers comply with the policy when preparing and serving food to pupils,”

LORD FREYBERG

As an amendment to the amendment in the name of Baroness Morgan of Coates to After Clause 63

After subsection (1)(a), insert—

- “(aa) ensure that any contract agreed with an external catering provider includes—

- (i) a requirement for the provider to comply with the school's allergy and anaphylaxis policy,
- (ii) procedures for sharing allergen information,
- (iii) mandatory measures for preventing cross-contamination, and
- (iv) actions to be taken by the catering provider in response to allergic reactions,"

BARONESS BARRAN
 BARONESS CASS
 LORD HAMPTON

After Clause 63, insert the following new Clause—

“Prohibition of smartphones during the school day

- (1) Within 12 months of the day on which this Act is passed, all schools in England must have a policy that prohibits the use and possession of smartphones by pupils during the school day.
- (2) Any policy implemented under subsection (1)—
 - (a) may provide for exemptions from the policy, or for an alternative policy, for sixth form students, in so far as such exemptions or alternative policies do not negatively impact upon the wider policy,
 - (b) may provide for exemptions for medical devices,
 - (c) is to be implemented as the relevant school leader considers appropriate, and
 - (d) may, where implemented by a boarding school or residential school, include appropriate guidance for the use of certain devices during other periods in which their pupils are on school premises, subject to such policies safeguarding and promoting the welfare of children in accordance with relevant national standards.
- (3) For the purposes of this section—
 - “smartphone” means a mobile telephone that is able to connect to the internet and whose main purpose is not the support of learning or study;
 - “the school day” includes all time between the start of the first lesson period and the end of the final lesson period.”

Member's explanatory statement

This new clause requires schools to ban the use of smartphones during the school day.

BARONESS BARRAN
LORD HAMPTON

After Clause 63, insert the following new Clause—

“Permanent exclusion: assessment

After being informed that a pupil has been permanently excluded from a school or academy, the local authority must carry out an assessment under paragraph 3 (assessment of children’s needs) of Schedule 2 of the Children Act 1989.”

Member's explanatory statement

This amendment seeks to require the local authority to undertake an assessment of the needs of the child if they are permanently excluded from school.

BARONESS BARRAN

After Clause 63, insert the following new Clause—

“Behaviour improvement: presumption against reinstatement for children who engage in extremely serious behaviour

(1) The School Discipline (Pupil Exclusions and Reviews) (England) Regulations 2012 (S.I. 2012/1033) are amended as follows.

(2) In regulation 6, after paragraph (3) insert—

“(3A) For any pupil engaged in any of the circumstances set out in sub-paragraphs (a) to (c), the presumption should be that the governing body must not reinstate the pupil unless a risk assessment has been carried out which demonstrates that the student does not present a heightened risk factor to other students and staff—

- (a) where a pupil’s possession of a knife or other offensive weapon was a factor in the decision to exclude the child;
- (b) where the pupil’s behaviour which led to their being excluded included sexual assault;
- (c) where the pupil’s behaviour which led to their being excluded included assault against a teacher.

“(3B) Any risk assessment required under paragraph (3A) must demonstrate how this risk has been eliminated or negated.

“(3C) Where a pupil has not been reinstated as a result of conditions under paragraph (3A), the pupil must be relocated to an environment that is more suitable to their challenging behaviour, such as a People Referral Unit or Alternative Provision or similar.””

Member's explanatory statement

This amendment seeks to probe the Government’s willingness to introduce a presumption against the reinstatement of a child who has been excluded for possession of a knife or other offensive

weapon, sexual assault, or assault against a teacher. It would instead mean that the pupil must be relocated to an environment that is more suitable to challenging behaviour.

BARONESS BARRAN

After Clause 63, insert the following new Clause—

“Behaviour improvement: presumption against reinstatement in a mainstream school for children who have been permanently excluded on two occasions

- (1) The School Discipline (Pupil Exclusions and Reviews) (England) Regulations 2012 (S.I. 2012/1033) are amended as follows.
- (2) In regulation 6, after paragraph (3) insert—
 - “(3A) Where a pupil has been permanently excluded on two occasions, the presumption should be the governing body of any mainstream school must not reinstate the pupil unless a risk assessment has been carried out which demonstrates that the student does not present a heightened risk factor to other students and staff, in which case the school must be able to demonstrate how this risk has been eliminated or negated.
 - “(3B) Where a pupil has not been reinstated as a result of conditions under paragraph (3A), the pupil must be relocated to an environment that is more suitable to their challenging behaviour, such as a People Referral Unit or Alternative Provision or similar.””

Member's explanatory statement

This amendment seeks to probe the Government's willingness to introduce a presumption against the reinstatement of a child who has been permanently excluded on two occasions from any mainstream school from being moved to another mainstream school and relocated to an environment that is more suitable to their challenging behaviour, such as a Pupil Referral Unit or Alternative Provision or similar.

BARONESS BARRAN

After Clause 63, insert the following new Clause—

“Guidance for schools on gender questioning children

- (1) The Secretary of State must publish statutory guidance for schools on gender questioning children on the day on which this Act is passed.
- (2) A relevant school must have regard to the guidance on gender questioning children published by the Secretary of State under this section.”

Member's explanatory statement

This amendment seeks to require the Department for Education to publish the guidance for schools on gender questioning children and schools must have regard for the guidance.

BARONESS LISTER OF BURTERSETT
LORD MESTON
THE LORD BISHOP OF GLOUCESTER
BARONESS WALMSLEY

After Clause 63, insert the following new Clause –

“Child rights impact assessment

- (1) A Minister of the Crown must prepare and publish a child rights impact assessment in relation to any legislative provision, policy decision, budgetary decision, or other decision of a strategic nature that has or will have a direct or indirect impact on children's wellbeing, social care or education.
- (2) The purpose of a child rights impact assessment is to secure better or further effect of the rights set out in the United Nations Convention on the Rights of the Child (UNCRC).
- (3) A child rights impact assessment must include consideration of the views, wishes and feelings of children and young people affected by the decision, insofar as the Minister is able to ascertain those views.
- (4) A child rights impact assessment should be undertaken on all relevant legislation, policy and budget development which will have a direct or indirect impact on children's wellbeing, social care or education at the earliest possible opportunity and prior to making final decisions.
- (5) As soon as is practicable after the end of each three-year period, the Secretary of State must publish (in such a manner as they deem appropriate) a report on the steps taken to ensure that child rights impact assessments undertaken fully consider all relevant articles of the UN Convention on the Rights of the Child and are carried out consistently for any legislative provision, policy decision, budgetary decision, or other decision of a strategic nature that has or will have a direct or indirect impact on children's wellbeing, social care or education.
- (6) A report published under subsection (5) must include –
 - (a) an assessment of how CRIAs have contributed to securing better or further effect of the rights set out in the UNCRC in relation to children's wellbeing, social care and education;
 - (b) steps taken to promote understanding and awareness of CRIAs across government departments;
 - (c) guidance and training provided to government departments to support the production child rights impact assessments.
- (7) The UNCRC includes the rights and obligations set out in –
 - (a) the United Nations Convention on the Rights of the Child Part 1;
 - (b) Articles 1 to 6(1), 6(3) and 7 of the Optional Protocol to the Convention on the Rights of the Child on the involvement of children in armed conflict;
 - (c) Articles 1 to 10 of the Optional Protocol to the Convention on the Rights of the Child on the sale of children, child prostitution and child pornography;

- (d) any other Optional Protocols to the UNCRC that the United Kingdom may in future ratify.
- (8) The UNCRC rights and obligations for the purposes of this Act are subject to any reservations, objections or interpretative declarations by the United Kingdom as may be in force at the time.
- (9) The UNCRC rights and obligations for the purposes of this Act should be interpreted in the light of General Comments prepared by the UN Committee on the Rights of the Child under rule 77 of its procedure and Concluding Observations made by the UN Committee on the Rights of the Child in response to a United Kingdom report under Article 45 paragraph (d) of the Convention.”

Member's explanatory statement

This amendment will introduce a statutory requirement for Ministers – and thereby government departments – to routinely prepare and make publicly available a children's rights assessment of the impact and/or expected impact of any proposed legislation, policy, budgetary decision or other strategic decision as they relate to children's wellbeing, social care or education, and to periodically report on the steps taken to ensure that such reports fully consider all relevant articles of the UN Convention on the Rights of the Child and are carried out consistently across government.

LORD STOREY

After Clause 63, insert the following new Clause –

“National tutoring guarantee

- (1) The Secretary of State must, within six months of the day on which this Act is passed, publish a report outlining the steps necessary to introduce a national tutoring guarantee.
- (2) A “national tutoring guarantee” means a statutory requirement on the Secretary of State to ensure access to small group academic tutoring for all disadvantaged children who require academic support.
- (3) A report published under this section must include an assessment of how best to deliver targeted academic support from qualified tutors to children –
 - (a) from low-income backgrounds,
 - (b) with low prior attainment,
 - (c) with additional needs, or
 - (d) who are young carers.
- (4) In preparing a report under this section, the Secretary of State must consult with –
 - (a) headteachers,
 - (b) teachers,
 - (c) school leaders,
 - (d) parents of children from low-income backgrounds,
 - (e) children from low-income backgrounds, and
 - (f) other individuals or organisations as the Secretary of State considers appropriate.

- (5) A report under this section must be laid before Parliament.
- (6) Within three months of a report under this section being laid before Parliament, the Secretary of State must take steps to begin implementation of the recommendations contained in the report."

Member's explanatory statement

This amendment requires the Secretary of State to publish a report outlining the steps required to introduce a national tutoring guarantee, and to begin implementing its recommendations.

LORD JACKSON OF PETERBOROUGH

After Clause 63, insert the following new Clause—

“Parental complaints (maintained schools)

- (1) After section 29 of the Education Act 2002 insert—

“29ZA Parental complaints: appeals

- (1) A complainant may appeal to the First-tier Tribunal (Health, Education and Social Care Chamber) where—
 - (a) the complaint was against a maintained school in England under section 29(1),
 - (b) the complainant was a parent of a registered pupil at the school at the time they first pursued the complaint,
 - (c) the complaint specified one or more legal duties listed in Schedule 1A of which the school was alleged to be in breach,
 - (d) the complaints process under section 29(1) was completed,
 - (e) the complaint was not fully upheld in respect of one or more of the matters specified as described in paragraph (c), and
 - (f) the complainant does not have and has not had any other prescribed right of appeal apart from that provided under section 29(1) and this section.
- (2) The Secretary of State must make regulations about appeals to the First-tier Tribunal in respect of subsection (1), including—
 - (a) making and determining appeals;
 - (b) the powers of the tribunal on determining an appeal.
- (3) Regulations under subsection (2) may include provision conferring power on the First-tier Tribunal, on determining an appeal against a matter, to make recommendations in respect of other matters (including matters against which no appeal may be brought).
- (4) A person commits an offence if without reasonable excuse that person fails to comply with any requirement—
 - (a) in respect of the discovery or inspection of documents, or

- (b) to attend to give evidence and produce documents, where that requirement is imposed by Tribunal Procedure Rules in relation to an appeal under this section or regulations under subsection (2).
- (5) A person guilty of an offence under subsection (4) is liable on summary conviction to a fine not exceeding level 3 on the standard scale.”

(2) After Schedule 1 to the Education Act 2002 insert—

“SCHEDULE 1A

LEGAL DUTIES FOR THE PURPOSES OF SECTION 29ZA

- 1 (1) The legal duties to which section 29ZA applies are as follows.
- (2) The Education Act 1996—
 - (a) section 9 (education in accordance with parental wishes),
 - (b) section 402 (obligation to enter pupils for public examinations),
 - (c) sections 403 to 405 (sex education),
 - (d) sections 406 to 407 (politics), and
 - (e) section 542(1) (prescribed standards for school premises).
- (3) The Education Act 2002—
 - (a) sections 78 to 80B (general duties in respect of the curriculum), and
 - (b) section 175(2) and (3) (duties ... in relation to welfare of children).
- (4) The School Standards and Framework Act 1998—
 - (a) section 1(6) (duty in relation to infant class size),
 - (b) sections 69 to 71 (religious education and worship), and
 - (c) section 114A (requirements for food and drink provided on school premises etc).
- (5) Childcare Act 2006, section 40 (duty to implement Early Years Foundation Stage).
- (6) Children Act 1989, sections 87 and 87C (welfare of children in boarding schools and colleges and national minimum standards).
- (7) The Education and Inspections Act 2006, sections 88 to 94 (School Discipline).”

LORD JACKSON OF PETERBOROUGH

After Clause 63, insert the following new Clause –

“Parental complaints (independent educational institutions, including academies)

After section 137 of the Education and Skills Act 2008 (service of notice etc) insert –

“137A Parental complaints: appeals

- (1) A complainant may appeal to the First-tier Tribunal (Health, Education and Social Care Chamber) where –
 - (a) the complaint was against an independent educational institution in England under Part 7 of the Schedule of The Education (Independent School Standards) Regulations 2014,
 - (b) the complainant was a parent of a registered pupil at the institution at the time they first pursued the complaint, and
 - (c) the complaint specified one or more –
 - (i) Independent School Standard Regulations that apply to the institution, or
 - (ii) terms of any funding agreements between the proprietor of the institution and the Secretary of State, or
 - (iii) obligations under the memorandum and articles of the proprietor company, or
 - (iv) the proprietor's charitable objects, or
 - (v) legal requirements that apply to the institution under the Academies Act 2010, in relation to the institution's provision for pupils with which the proprietor is alleged to be in breach, and
 - (d) the complaints process under paragraph (a) has been completed,
 - (e) the complaint was not fully upheld in respect of one or more of the matters specified as described in (c), and
 - (f) the complainant does not have and has not had any other prescribed right of appeal beyond that provided in Part 7 of the Schedule of The Education (Independent School Standards) Regulations 2014 and this section.
- (2) The Secretary of State must make regulations about appeals to the First-tier Tribunal in respect of subsection (1), including –
 - (a) making and determining appeals;
 - (b) the powers of the tribunal on determining an appeal.
- (3) Regulations under subsection (2) may include provision conferring power on the First-tier Tribunal, on determining an appeal against a matter, to make recommendations in respect of other matters (including matters against which no appeal may be brought).
- (4) A person commits an offence if without reasonable excuse that person fails to comply with any requirement –
 - (a) in respect of the discovery or inspection of documents, or

- (b) to attend to give evidence and produce documents, where that requirement is imposed by Tribunal Procedure Rules in relation to an appeal under this section or regulations under subsection (2).
- (5) A person guilty of an offence under subsection (4) is liable on summary conviction to a fine not exceeding level 3 on the standard scale.””

Member's explanatory statement

This clause would afford to parents the ability to appeal complaints about an independent educational institution failing to comply with its legal duties in educational provision to the first-tier tribunal in circumstances where the institution's internal complaints process has been completed and has not upheld their complaint. Independent Educational Institutions include academies.

LORD JACKSON OF PETERBOROUGH

After Clause 63, insert the following new Clause—

“Parental complaints (non-maintained special schools)

After section 342C of the Education Act 1996 insert—

“342D Parental complaints: appeals

- (1) A complainant may appeal to the First-tier Tribunal (Health, Education and Social Care Chamber) where—
 - (a) they have pursued a complaint against a non-maintained special school in England under paragraph 31 of the Schedule of the Non-Maintained Special Schools (England) Regulations 2015 (S.I. 2015/728),
 - (b) the complainant was the parent of a registered pupil at the school at the time of first pursuing the complaint,
 - (c) the complaint specified one or more—
 - (i) non-maintained Special School Regulations,
 - (ii) obligations under the memorandum and articles of any proprietor company, or
 - (iii) obligations imposed under any trust deed of the school in relation to the institution's provision for pupils with which the proprietor is alleged to be in breach,
 - (d) the complaints process under paragraph (a) has been completed,
 - (e) the complaint was not fully upheld in respect of one or more of the matters specified as described in (c), and
 - (f) the complainant does not have and has not had any other prescribed right of appeal beyond that provided in paragraph 31 of the Schedule to the Non-Maintained Special Schools (England) Regulations 2015 and this section.
- (2) The Secretary of State must make regulations about appeals to the First-tier Tribunal in respect of subsection (1), including—
 - (a) making and determining appeals;

(b) the powers of the tribunal on determining an appeal.

(3) Regulations under subsection (2) may include provision conferring power on the First-tier Tribunal, on determining an appeal against a matter, to make recommendations in respect of other matters (including matters against which no appeal may be brought).

(4) A person commits an offence if without reasonable excuse that person fails to comply with any requirement—

- (a) in respect of the discovery or inspection of documents, or
- (b) to attend to give evidence and produce documents, where that requirement is imposed by Tribunal Procedure Rules in relation to an appeal under this section or regulations under subsection (2).

(5) A person guilty of an offence under subsection (4) is liable on summary conviction to a fine not exceeding level 3 on the standard scale.””

Member's explanatory statement

This clause would afford to parents the ability to appeal complaints about a non-maintained special school failing to comply with its legal duties in educational provision to the first-tier tribunal in circumstances where the school's internal complaints process has been completed and has not upheld their complaint.

LORD JACKSON OF PETERBOROUGH

After Clause 63, insert the following new Clause—

“Amendment of the First-tier Tribunal and Upper Tribunal (Chambers) Order 2010

The Secretary of State may by regulations make such amendments to the First-tier Tribunal and Upper Tribunal (Chambers) Order 2010, the Tribunal Procedure (First-tier Tribunal) (Health, Education and Social Care Chamber) Rules 2008, and any other relevant subordinate legislation as are necessary or expedient in consequence of, or in connection with, sections (*Parental complaints (maintained schools)*), (*Parental complaints (independent educational institutions, including academies)*), and (*Parental complaints (non-maintained special schools)*) of this Act.””

Member's explanatory statement

This clause allows the Secretary of State to make amendments to secondary legislation for tribunals as a consequence of the amendments proposed on parental complaints.

LORD TARASSENKO
BARONESS KIDRON

After Clause 63, insert the following new Clause—

“Register of software tools permitted in schools

- (1) Within six months of the day on which this Act is passed, the Secretary of State must prepare a register of software tools, including websites, which may be used by pupils for educational purposes in schools.
- (2) For their software to be listed on the register, a provider must—
 - (a) ensure their software adheres to standards set out in—
 - (i) the Age Appropriate Design Code,
 - (ii) the Online Safety Act 2023,
 - (iii) the ‘curriculum principles’ section of the final report of the 2025 Curriculum and Assessment Review, and
 - (iv) any other standards of privacy or online safety which apply to educational settings, and
 - (b) provide a helpline or adequate system for reporting any hazards, privacy breaches, or safety failures.
- (3) In establishing that the software meets the standards set out in subsection (2)(a), the Secretary of State must consult with—
 - (a) experts in data protection and online safety,
 - (b) educators,
 - (c) curriculum and school representatives, and
 - (d) any other parties the Secretary of State deems relevant.
- (4) Software tools included on the register must be whitelisted by school network firewall systems.”

LORD ADDINGTON

After Clause 63, insert the following new Clause—

“Obligation to deliver the National Curriculum to a child with SEND

In exercising any duty to secure that the National Curriculum is taught to a pupil for whom special educational provision is made, the proprietor of a school must ensure that—

- (a) there are effective arrangements in place to identify, as early as reasonably practicable, pupils who may have special educational needs or disabilities,
- (b) for each such pupil, a written SEND support plan is prepared and regularly reviewed, setting out the adjustments, adaptations or disapplications from the National Curriculum, and any additional provision, reasonably required for that pupil to make progress, and

(c) teachers and other staff have sufficient time, training and access to specialist advice to implement that plan, and to refine it in response to the pupil's progress."

Member's explanatory statement

This amendment would make clear that, in relation to children with SEND, the duty to teach the National Curriculum must be exercised in a way which enables schools to identify needs early and to prepare and deliver a tailored SEND support plan. It is intended to give schools greater capacity and professional agency to adapt or depart from the National Curriculum where necessary, and to ensure staff have the time, training and support needed to act on children's SEND needs.

LORD ADDINGTON

After Clause 63, insert the following new Clause—

“Establishment of a national body for SEND

- (1) The Secretary of State must, within 12 months of the passing of this Act, establish a national body for special educational needs and disabilities (SEND) in relation to children.
- (2) The functions of the national body for SEND must include, but need not be limited to—
 - (a) supporting schools to develop and maintain effective systems for the early identification and assessment of children with SEND,
 - (b) developing and disseminating national tools, guidance and model frameworks for SEND support plans and the graduated response to SEND,
 - (c) promoting and coordinating high-quality training and professional development for the school workforce on identifying and meeting SEND, and
 - (d) advising the Secretary of State and local authorities on how funding and other resources should be targeted to build schools' capacity to identify, plan for and meet the needs of children with SEND.
- (3) In exercising its functions, the national body for SEND must have regard to the views and experiences of—
 - (a) children and young people with SEND,
 - (b) parents and carers, and
 - (c) schools, academy trusts and local authorities.”

Member's explanatory statement

This amendment would require the Secretary of State to establish a national body for SEND with a specific focus on building schools' capacity and professional agency to identify children with SEND early and to put in place high-quality SEND support plans. The body would develop tools and guidance, support workforce training and advise on the targeting of resources needed for schools to act effectively on children's SEND needs.

LORD ADDINGTON

After Clause 63, insert the following new Clause—

“Review of off-rolling in schools

- (1) Within 12 months of the passing of this Act, the Secretary of State must publish a review into the practice of off-rolling in schools.
- (2) The review must produce proposals outlining the steps necessary to eliminate the practice of off-rolling in schools.”

Member's explanatory statement

This amendment requires the Secretary of State to review the practice of off-rolling and to produce proposals to eliminate the practice.

BARONESS BURT OF SOLIHULL

After Clause 63, insert the following new Clause—

“Spiritual, moral, social and cultural education in assemblies

- (1) Chapter 6 of Part 2 of the School Standards and Framework Act 1998 (religious education and worship) is amended as follows.
- (2) For section 70(1) (requirements relating to collective worship) substitute—

“(1) Subject to section 71, each pupil in attendance at—

 - (a) a community, foundation or voluntary school in Wales,
 - (b) a foundation or voluntary school in England which is designated with a religious character, or
 - (c) an Academy in England which is designated with a religious character,

must take part in an act of collective worship at least one time per week.”
- (3) In section 70(2), for “community, foundation or voluntary school”, substitute “school to which subsection (1) applies”.
- (4) After section 70, insert—

“70A Requirements relating to assemblies

- (1) This section applies to schools in England that are—
 - (a) maintained schools without a religious character,
 - (b) non-maintained special schools,
 - (c) City Technology Colleges, and
 - (d) academies without a religious character.
- (2) Each pupil in attendance at a school to which this section applies must at least once during the school week take part in an assembly which is principally directed towards furthering the spiritual, moral, social and cultural education of the pupils regardless of religion or belief.

(3) In relation to any school to which this section applies—

- (a) the local authority responsible for education (in the case of maintained schools) and the governing body must exercise their functions with a view to securing, and
- (b) the head teacher must secure,
that subsection (2) is complied with.””

Member's explanatory statement

This amendment removes the requirement for daily collective worship in England for maintained schools and academies without a religious character, non-maintained special schools, and city technology colleges, and instead introduces a requirement for a minimum weekly assembly furthering spiritual, moral, social and cultural education.

BARONESS BURT OF SOLIHULL

After Clause 63, insert the following new Clause—

“Inclusion of non-religious beliefs in religious education

- (1) Section 375 of the Education Act 1996 (agreed syllabuses of religious education) is amended as follows.
- (2) Omit subsection (3) and insert—
 - “(3) Every agreed syllabus shall—
 - (a) reflect the fact that the religious traditions in Great Britain are in the main Christian, and
 - (b) take account of the teachings of the other principal religions and non-religious beliefs represented in Great Britain.
- (3A) In subsection (3)(b), the reference to non-religious beliefs is to non-religious philosophical convictions that—
 - (a) are explicitly non-religious, and
 - (b) are philosophical convictions within the meaning of Article 2 of the First Protocol to the European Convention on Human Rights.
- (3B) In subsection (3A)(b)—
 - “the European Convention on Human Rights” means the Convention for the Protection of Human Rights and Fundamental Freedoms, agreed by the Council of Europe at Rome on 4 November 1950, as it has effect for the time being in relation to the United Kingdom;
 - “the First Protocol”, in relation to that Convention, means the protocol to the Convention agreed at Paris on 20 March 1952.””

Member's explanatory statement

This amendment requires non-religious beliefs to be taught in religious education, and defines non-religious beliefs for those purposes.

Clause 67

BARONESS BARRAN

Clause 67, page 127, line 28, at end insert—

“(aa) section (*Guidance for schools on gender questioning children*);”

Member's explanatory statement

This amendment ensures another amendment in the name of Baroness Barran would take effect on the day the Act is passed.

LORD STOREY

Clause 67, page 128, line 1, leave out paragraph (g).

BARONESS BARRAN

Clause 67, page 128, line 9, at end insert—

“(3A) Section 3 may not come into force until the Secretary of State has published guidance to clarify how the duties inserted into the Children Act 2003 by that section will be delivered and funded, including for non-statutory agencies.”

Member's explanatory statement

This amendment seeks to probe what capacity will be needed to manage all Section 47 cases and how this will be funded.

BARONESS BARRAN

Clause 67, page 128, line 9, at end insert—

“(3A) Section 3 may not come into force until the Secretary of State has set out the respective responsibilities of each partner agency in securing the effective delivery of the MACPTs under the changes made to the Children Act 2004 by that section.”

Member's explanatory statement

This amendment seeks to probe whether the responsibility for the effectiveness of the MACPT rest with all partners and not just the local authority.

Children's Wellbeing and Schools Bill

RUNNING LIST OF ALL AMENDMENTS ON REPORT

Tabled up to and including

15 December 2025

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